REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on November 20, 2003, and the references cited therewith.

Claims 1, 8, and 16 are amended; as a result, claims 1-20 are now pending in this application. Applicants assert that the amendments do not add any new matter and are supported by the original filed specification. More specifically, Applicant notes that the amendments are consistent with the examples and text of the originally filed specification because keyword values were described as substantive values for keyword fields and because index was used in a separate context altogether within the specification. Thus, the original filed specification supports Applicant's amendment to the independent claims 1, 8, and 16, since the specification makes clear that the keyword values are not index values. Therefore, entry of these amendments is appropriate.

§103 Rejection of the Claims

Claims 1-3, 5-6, 8-9, 11 and 15-16 were rejected under 35 USC § 103(a) as being unpatentable over Jindal (U.S. 5,845,273) in view of Bauer et al. (U.S. 5,926,816). It is of course fundamental that in order to sustain an obviousness rejection that each and every element or step in the rejected claims must be taught or suggested in the cited references. Here, neither the Jindal nor Bauer reference standing alone or in combination with one another, teach or suggest each and every element or step of Applicant's amended independent claims 1, 8, and 16. Accordingly, Applicant respectfully request that the rejections with respect to claims 1, 8, and 16 be withdrawn.

More specifically, Jindal is directed towards aggregating multiple index files into a single searchable index file for purposes of searching. Applicant first notes that in Jindal a schema is not being modified or generated at all; rather, in Jindal a large centralized aggregated index file is created. The Examiner acknowledges this, and relies on Bauer in support of a schema. At the outset, Applicant would like to point out that Bauer's teachings require multiple schemas and do not aggregate multiple schemas into a single schema and does not modify a schema. Thus, Applicant believes modifying Bauer with Jindal is improper hindsight, and cannot be permissibly done because it defeats the teachings of Bauer which relies on multiple schemas for its teachings.

Additionally, Jindal creates and generates index files and does not create and modify schemas. Thus, at the outset Application points out that the proposed combination is not proper and any such combination would run against the very teachings of Bauer.

The Examiner has directed the Applicant to a reference in Jindal which is describing FIG. 4 of Jindal. In reading this reference in context it is clear that the values used in Jindal which are associated with a keyword are nothing more than computer generated index values for records and offsets into other files. These are not substantive values as has been described in detail in Applicants specification and which is now made clear for the Examiner with the present amendments to independent claims 1, 8, and 16.

The first and second values of Applicant's independent claims 1, 8, and 16 are not index values, and this is now positively recited in Applicant's amended independent claims. The specification of Applicant's invention makes clear that the values refer to non index values or in other words to substantive field values for a single keyword. One example in the specification points this out for a keyword field identified as "phone" which can, with the teachings of Applicant's invention, include two separate phone number values within the modified schema. This is not possible in Jindal, not taught in Jindal, and is not what the teachings in Jindal are directed to. Jindal generates a generic index and associates different index values for keywords, but does not permit the cardinality of a single keyword to be dynamically modified within a single schema to have multiple substantive keyword values which are not index values. Jindal does not create schemas and does not modify schemas; Jindal simply aggregates indexes together for searching.

Thus, Applicant asserts that the rejections with respect to independent claims 1, 8, and 16 should be withdrawn, since Jindal does not teach first and second values associated with a single keyword within a table schema where those values are non index values. Moreover, the rejections should be withdrawn because Bauer relies on multiple schemas for its teachings and a single integrated schema would defeat the teachings of Bauer. In view of the present amendments and Applicant's remarks, the Applicant respectfully requests the rejections be withdrawn and the claims allowed.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111
Serial Number: 09/833915
Filing Date: April 12, 2001
Title: METHODS FOR DYNAMICALLY CONFIGURING THE CARDINALITY OF KEYWORD ATTRIBUTES

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Claims 4, 10 and 17-20 were rejected under 35 USC § 103(a) as being unpatentable over Jindal in view of Bauer et al. and further in view of Draper et al. (U.S. 6,581,062). Obviousness cannot be sustained unless each and every element or step in the rejected claims are taught or suggested in the references. Claim 4 is dependent from independent claim 1, claim 10 is dependent from independent claim 8, and claims 17-20 are dependent from independent claim 16. Accordingly, for the reasons stated above with respect to Applicant's amended independent claims 1, 8, and 16 these claims are now in condition for allowance and Applicant respectfully request an indication of the same.

Claims 7 and 12-14 were rejected under 35 USC § 103(a) as being unpatentable over Jindal in view of Bauer et al. and further in view of Hoover et al. (U.S. 5,560,005). Again, to sustain an obviousness rejection each and every element or step in the rejected claims must be taught or suggested in the cited references. Here, claim 7 is dependent from independent claim 1, and claims 12-14 are dependent from independent claim 8. Thus, for the reasons stated above with respect to amended independent claims 1 and 8, claims 7 and 12-14 are in condition for allowance and Applicant respectfully requests that the rejections be withdrawn.

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CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

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Respectfully submitted,

WAYNE L HUTCHINSON

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
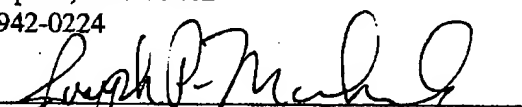P.O. Box 2938
Minneapolis, MN 55402
(513) 942-0224

Date   2-20-04   By _____
                            Joseph P. Mehrle
                            Reg. No. 45,535